



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

APW:dt
F. #2020R01125

*610 Federal Plaza
Central Islip, New York 11722*

September 15, 2021

By Electronic Delivery and ECF

John S. Wallenstein, Esq.
1100 Franklin Avenue
Garden City, New York 11530

Re: United States v. Raza Sikandar
Criminal Docket No. 20-CR-582(MKB)p

Dear Mr. Wallenstein:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Documents and Tangible Objects

Copies of documents regarding the Defendant from Prince George's County Police Department, bates-numbered RS000471 – RS000538;

Copies of documents regarding the Defendant from Anne Arundel County Police Department, bates-numbered RS000539 – RS000554;

Copies of documents regarding the Defendant from Baltimore County Police Department, bates-numbered RS000555 – RS000558;

Copies of documents regarding the Defendant from Customs and Border Patrol, bates-numbered RS000559 – RS000583;

Copies of documents regarding the Defendant from Czechoslovakian Law Enforcement, bates-numbered RS000584 – RS000587;

Copies of documents regarding the Defendant from Fauquier County Sheriff's Department, bates-numbered RS000588 – RS000588;

Copies of documents regarding the Defendant from Honeywell, bates-numbered RS000589 – RS000664;

Copies of documents regarding the Defendant from Prince William County Police Department, bates-numbered RS000665 – RS000666;

Copies of documents regarding the Defendant from Upper Merion Township Police Department, bates-numbered RS000667 – RS000677;

Copies of documents regarding the Defendant from the Virginia Department of Corrections, bates-numbered RS000678 – RS000681;

Copies of documents regarding the Defendant from Wicomico County Police Department, bates-numbered RS000682 – RS000687;

Copies of passport applications completed, signed, and submitted by the Defendant, bates-numbered RS000688 – RS000745;

A screenshot of a page on the website www.ratemds.com in connection with the Defendant, bates-numbered RS000746 – RS000746;

A copy of a report regarding passport fraud made by Shuja Sikandar, bates-numbered RS000747 – RS000749; and

Copies of the Defendant's Driver's License Photo from the State of Maryland, bates-numbered RS000750 – RS000751.

Copies of Virginia Department of Corrections Conditions of Probation Supervision, bates-numbered RS000752 – RS000758.

You may examine the physical evidence discoverable under Rule 16, including original documents, by calling me to arrange a mutually convenient time.

B. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to call at trial and provide you with a summary of the expert's opinion.

At present, the government intends to call a fingerprint expert from the Department of Homeland Security to testify that the fingerprints taken from the defendant on the date of his arrest match fingerprints taken in connection with his prior arrests.

The identity, qualifications, and bases for the conclusions of each expert will be provided to you when they become available.

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

II. The Defendant’s Required Disclosures

The government hereby once again requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. Although the defendant has indicated that he intends to present a defense of duress, the defendant has not yet produced any items he intends to introduce on his direct case.

The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant’s possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant’s possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.2 and 12.3, the government hereby demands written notice of the defendant's intention, if any, to of expert evidence of a mental condition or the actual or believed exercise of public authority, and also demands the names and addresses of the witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

Very truly yours,

JACQUELYN M. KASULIS
Acting United States Attorney

By: /s/ Andrew P. Wenzel
Andrew P. Wenzel
Assistant U.S. Attorney
(631) 715-7832

Enclosures

cc: Clerk of the Court (MKB) (by ECF) (without enclosures)